

1 DAVID L. ANDERSON (CABN 149604)
United States Attorney

2 HALLIE HOFFMAN (CABN 210020)
3 Chief, Criminal Division

4 KIMBERLY HOPKINS (MABN 668608)
Assistant United States Attorney

5 450 Golden Gate Avenue, Box 36055
6 San Francisco, California 94102-3495
7 Telephone: (415) 436-7200
8 FAX: (415) 436-7234
Kimberly.hopkins@usdoj.gov

Attorneys for United States of America

9 UNITED STATES DISTRICT COURT
10 NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION
12

13 UNITED STATES OF AMERICA,) NO. CR 19-0102 EMC
)
14 Plaintiff,) UNITED STATES' MOTION TO DISMISS
) COUNTS 2, 3, AND 4 OF THE INDICTMENT
15 v.) AND [PROPOSED] ORDER
)
16 JOHN C. FRY,)
)
17 Defendant.)
_____)

18
19 With leave of the Court, and pursuant to the Plea Agreement (ECF No. 31) and Federal Rule of
20 Criminal Procedure 48(a), the United States moves to dismiss Counts Two and Three of the Indictment
21 in the above captioned case against John C. Fry, charging him with misuse of a computer in violation of
22 18 U.S.C. § 1030(a)(2), and moves to dismiss Count Four of the Indictment, charging Mr. Fry with use
23 of a social security number in violation of 42 U.S.C. § 408(a)(8), with prejudice.

24 DATED: January 15, 2020

Respectfully submitted,

25 DAVID L. ANDERSON
United States Attorney

26 /s/ Kimberly Hopkins
27 KIMBERLY HOPKINS
Assistant United States Attorney
28

~~[PROPOSED]~~ ORDER

Leave is granted to the United States to dismiss Counts Two and Three of the Indictment in the above captioned case against John C. Fry, charging him with misuse of a computer in violation of 18 U.S.C. § 1030(a)(2), and to dismiss Count Four of the Indictment, charging Mr. Fry with use of a social security number in violation of 42 U.S.C. § 408(a)(8), with prejudice.

Date: January 16, 2020



HON. EDWARD M. CHEN
United States District Judge